

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

NUCLEAR DEVELOPMENT, LLC,

Plaintiff,

vs.

TENNESSEE VALLEY AUTHORITY,

Defendant.

§
§
§
§
§
§
§
§
§
§

CIVIL ACTION CASE NUMBER:

5:18-cv-01983-LCB

PLAINTIFF'S PROFFER EXHIBIT LIST

Plaintiff Nuclear Development, LLC ("ND") submits the following list of exhibits in support of its Offer of Proof filed contemporaneously herewith:

Ex No.	Description
4	5/5/16 TVA Board Resolution (TVABLN00002633-2634)
9	6/19/18 Email to Matthews from Chardos (TVABLN00002463-2464)
11	9/14/18 NRC summary of meeting (TVABLN00002045-2052)
15	10/25/18 Email from Beeler to Beach (TVABLN00006245-6246)
17	11/9/18 Email from Beach to Blust (TVABLN00002643-2644)
19	11/12/18 Email from ND to TVA (TVABLN00000043-44)
24	11/29/18 Letter from ND to TVA (TVABLN00002651 – 2652)
25	11/30/18 Email with letter from ND to TVA (TVABLN00006461-6464)
26	11/13/18 Email from Blust to Quirk (TVABLN00000038-39)

Ex No.	Description
27	11/14/18 Minutes of Meeting of Board of Directors of TVA
28	11/16/18 Email to Blust, Beach, Chandler, and McCall from Quirk (TVABLN00000040-41)
29	11/28/18 Email from Blust to Quirk and Beach (TVABLN00000042)
30	11/28/18 Email to Beach and Quirk from Blust (TVABLN00000660-661)
31	11/19/18 Email with letter from TVA to ND (ND 004950-4952)
33	8/30/17 Email to Beach from Chandler (TVABLN00005846-5848)
36	11/16/18 Email to Beach, Chandler, Quirk and McCall from Blust (TVABLN0002954)
43	9/9/16 Email from Blust to O'Neill (ND_005048-5056)
45	10/4/16 Email from O'Neill to Frank Haney (ND 005152-5154)
56	3/21/17 Email to Frank Haney and Larry Blust from James Chardos (ND 002996-2999)
57	4/6/17 Email to Frank Haney and Larry Blust from James Chardos (ND 003098)
82	11/13/18 ND Application to NRC (ND_004760-4918)
83	52 FR 38077-01
89	10/18/16 Email from Blust to O'Neill (ND_005159-5162)
90	10/24/2016 Letter from Carrie O'Neil to Larry Blust re: Potential Sale of Bellefonte Nuclear Plant Site (ND 000415 – ND 000417)
100	3/1/18 Email from Chardos to Gillman with Executive Summary Bellefonte Phase 1 Engineering, Licensing, Simulator and Training Proposal (TVABLN00001550)
112	8/28/18 Email from Chardos to Gillman, Davis (TVABLN00002490-2495)
119	11/03/2016 email from Larry Blust to Carrie O'Neil cc Franklin Haney, Frank Haney, Bill McCollum re: Letter of Intent to Bid (ND 005192 – ND 005201)

Ex No.	Description
122	David A. Repka Expert Report dated 2/11/20
123	Construction Permits
127	TVA's DSEP Report (TVABLN00001105-1205)
128	Bellefonte Nuclear Power Plant Completion Project – Independent Engineer Evaluation Report
129	NRC Regulatory Improvements for Production and Utilization Facilities Transitioning to Decommissioning
130	9/14/06 Letter to TVA from Office of Nuclear Reactor Regulation
131	NRC memo regarding reinstatement of CPs
132	Cincinnati Gas & Electric Company, et al.
172	TVA's Responses and Objections to Plaintiff's Amended Third Set of Requests for Admission
174	9/20/18 Email from Gillman to Chardos (TVABLN00001798-1801)
175	10/5/18 Email from Chardos to Frank Haney (ND 004204-4205)
176	10/11/18 Email from Chardos to Frank Haney (TVABLN00002521-2524)
177	11/5/18 Email from Chardos to Frank Haney (ND 004308-4309)
178	11/7/18 Email from Chardos to Blust (TVABLN00000563-599)
179	11/14/18 Email from Chardos to McCollum, Blust (TVABLN00000608-612)
184	Notice of Closing Costs (TVABLN00002510-2511)
190	11/29/18 Email from Chardos to Blust (TVABLN000000615)
192	2/20/17 Letter from Coward to Blust (ND_002756-2763)
206	4/6/06 letter from TVA to NRC
207	6/29/06 letter from TVA to NRC
208	8/22/06 letter from NRC to TVA
300	3/9/09 letter from NRC to TVA re: reinstatement of construction permits
303	7/30/18 Email from George Higginbottom to Erin Henderson (TVABLN00000625-627)

Ex No.	Description
304	TVA/Concentric Offering Memorandum (ND_000144-000217)
305	11/3/20 NRC letter to Nuclear Development
312	11/3/20 letter from NRC to ND
313	[Doc. 128-2] NRC's December 17, 2020, Memorandum and Order, CLI-20-16)
314	[Doc. 129-1] NRC Letter dated 1/22/21
	[Doc. 17] Stipulation of the Parties Regarding Plaintiff's Motion for Preliminary Injunction
	Timeline
	Undisputed Facts
	TVABLN00002602-2610
	TVABLN00003848
	TVABLN00005060-5062

Respectfully submitted on this 19th day of May, 2021.



CAINE O'REAR III (OREAC6985)
J. CRAIG CAMPBELL (CAMPJ7981)
HAND ARENDALL HARRISON SALE LLC
P. O. Box 123
Mobile, AL 36601
(251) 432-5511
Fax: (251) 694-6375
corear@handfirm.com
ccampbell@handfirm.com

E. SHANE BLACK (BLACE7644)
HAND ARENDALL HARRISON SALE LLC
102 S. Jefferson Street
Athens, AL 35611
(256) 232-0202
Fax: (256) 216-1480
sblack@handfirm.com
ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I do hereby certify that, on May 19, 2021, I filed the foregoing pleading with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Matthew H. Lembke, Esq.
mlembke@bradley.com

David D. Ayliffe, Esq.
ddayliffe@tva.gov


